



September 23, 2004

Department of Ecology
Water Quality Program

SEP 29 2004

Ms. Joyce Smith
Industrial Stormwater General Permit
Washington State Department of Ecology
PO Box 47600
Olympia, WA 98504-7600

RE: Proposed Permit Modifications for Industrial Stormwater General Permits

Dear Ms. Smith:

WaferTech is hereby submitting comments regarding proposed modifications to the Industrial Stormwater General Permit regulations:

1. The proposed sampling requirements (page 25) are a definite improvement and provide better procedures for permittees. WaferTech requests that the proposed sampling procedures become adopted.
2. The proposed action level for zinc is 372 micrograms per liter (page 27). This action level is much lower than local drinking water levels for zinc. The City of Vancouver 2003 Annual Water Quality Report listed the highest level allowed for zinc to be 5.0 ppm (5,000 micrograms per liter). The US Geological Survey "Quality of Ground Water in Clark County", Report # 90-4149, which was a study of 20 wells in Clark County in 1988, listed ranges of zinc in the ground water as high as 180 ppm (180,000 micrograms per liter). What was the basis for the proposed action level for zinc? Zinc is a naturally occurring compound, which may be found in stormwater samples at much higher concentrations than the proposed action level, with no known cause. WaferTech requests that this action level be raised to a level which is consistent with background levels of zinc.
3. The proposed "Level One Response" (pages 26-27) requires that the permittee identify source/ operational control methods by which the permittee can further reduce stormwater contamination. This is an assumption that a source *is* identified and that there will be a method to control the contaminate. What action will Ecology take when a source cannot be identified and/or there is no reasonable method for control?

4. The proposed "Level Two Response" (pages 27-28) requires that the permittee *implement* additional source and operational best management practices. Ecology was questioned at the workshop in Olympia as to what guidance would Ecology provide for permittees for these BMPs. Ecology staff answered that the permittees would need to contact Ecology staff. This leaves future permit conditions to be set at the whim of each regulator and may not be consistent throughout the State. These future permit conditions would not be open for public comment; sources would not have an opportunity to provide feedback. No procedures are in place to determine what BMPs are to be implemented by the permittee.
5. The proposal to allow public access to a facility's Stormwater Pollution Prevention Plan at the facility should not be implemented. The current practice for the public to review public information at the Department of Ecology should continue. WaferTech is private property. The Company does not sell product to the public, is not open to the general public and has no customers in the State of Washington. WaferTech has concerns about safety and security if this proposal is implemented. It requires that front desk/ lobby staff be able to handle the public and that Environmental staff be readily available to oversee who reviews the plan and ensure facility security for hazardous materials locations, etc has not been jeopardized. Ecology already has procedures for public access, this practice should continue.
6. If the proposed modifications are accepted, WaferTech hereby requests that the Department of Ecology provide guidance on possible sources of zinc and best management practices to control zinc to below the action level proposed.

Sincerely,



Judy Schramm, CHMM
Environmental Engineer
WaferTech L.L.C.